



CITY OF DURHAM | DURHAM COUNTY
NORTH CAROLINA



Street Closing Report

Meeting Date: March 21, 2011

Reference Name	Street Closing – Kelsey Street (SC1000008)	Jurisdiction	City
Request	To conduct a public hearing for the permanent closing of 516.59 linear feet of Kelsey Street		
Applicant's Agent	Ronald and Wanda Bean	Submittal Date	December 17, 2010
Location	Entire length of Kelsey Street, between Winton Road and Alpine Road		
Recommendation	Approve the permanent closing of the public right-of-way		

A. Summary

This request is to permanently close 516.59 linear feet of Kelsey Street, south of Winton Road and north of Alpine Road (see Attachment 4). The right-of-way is an unimproved and unopened street. The closing will not affect access to any of the resultant lots.

The distribution of the proposed right-of-way closing will be an equal distribution for the southern portion. The entirety of the northern portion will be added to the parcel adjacent on the east side (see Attachment 4). This portion requires the western and adjacent property owner's consent; with said owner signing the plat (see Attachment 4) in accordance with state statutes.

B. Area Characteristics

The area surrounding the right-of-way is zoned Residential Suburban – 10 (RS-10) and in the Suburban Tier. The surrounding lots are all developed as single-family residential.

Adjacent Land Uses and Zoning			
	Uses	Zoning Districts	Overlay Districts
North	Right-of-way	RS-10	None
East	Single-family residential	RS-10	None
South	Right-of-way	RS-10	None
West	Single-family residential	RS-10	None

C. Statutory Requirements

North Carolina Statute 160A-299 requires that the Governing Body make two findings prior to closing any street or alley. These are:

- 1) Closing the street or alley is not contrary to the public interest; and
- 2) No individual owning property in the vicinity of the street or alley or in which it is located would be deprived of reasonable means of ingress or egress to that property.

D. Code Requirements

Section 13.5.1, Access, of the Unified Development Ordinance requires that every buildable lot have access to a public or private street that is designed, constructed and maintained to the appropriate standards. All resultant lots will have access to a public street that is designed, constructed, and maintained.

E. Service Impacts

This request was submitted to service agencies for review and comment. Their comments are shown below:

Service Agency Comments	
Agency	Anticipated Impact on Service
Duke Energy	No impact
Emergency Medical Services	No impact
Fire Department	No impact
NCDOT	No impact
Parks	No impact
Police Department	No impact
911	No impact
City - Engineering	No impact
City - Transportation	No impact
Schools	No impact
PSNC	No impact
Verizon	No impact

F. Staff Analysis

The area surrounding the right-of-way is zoned RS-10 and in the Suburban Tier. The associated street closing plat shows the area of Kelsey Street being proposed for closure recombined with the adjacent parcels; equal distribution for the southern portion and the entirety of the northern portion will be added to the parcel to the east (see Attachment 4); with the northern portion requiring the adjacent property owner's consent.

Access to resultant lots is not affected and no adverse impacts have been identified with the proposed street closing. No additional right-of-way is required for utilities.

G. Recommendation

Approve the permanent closing of the 516.16 linear feet of public right-of-way.

H. Staff Contact

Amy Wolff, Planner, 560-4137 ext.28235 or Amy.Wolff@durhamnc.gov

I. Attachments

1. Context Map
2. Aerial
3. Order
4. Street Closing Plat Reduction